



November 13, 2023

The Honorable Thomas Massie
Chair, Subcommittee on the Administrative State, Regulatory Reform, and Antitrust
2453 Rayburn House Office Building
Washington, D.C. 20515

The Honorable J. Luis Correa
Chair, Subcommittee on the Administrative State, Regulatory Reform, and Antitrust
2301 Rayburn House Office Building
Washington, DC 20515

Dear Chair Massie and Ranking Member Correa:

The below undersigned organizations from Small Business Rising — a coalition of small business associations representing more than 300,000 independent businesses — write to express our strong support for the Department of Justice’s Assistant Attorney General (DOJ AAG) Jonathan Kanter’s leadership at the agency to curb anticompetitive conduct in the United States.

As a coalition representing the interests of small and independent businesses across the country, we believe that the DOJ’s Antitrust Division work under AAG Kanter’s leadership has been crucial for fostering a fair and competitive marketplace and safeguarding the right of small and independent business to compete and serve the needs of their communities. We urge Congress to work collaboratively to ensure the DOJ’s Antitrust Division has the resources and support to pursue its mandate to promote economic competition through enforcing and providing guidance on antitrust laws and principles.

America’s small businesses are the backbone of our local economies and communities — and, yet, every day we lose more independent businesses because of the abusive and anti-competitive tactics of monopolistic corporations. This is the top threat to our members. Antitrust enforcement has largely been ignored by federal enforcers until AAG Kanter’s appointment to the DOJ and Chair Lina Khan’s appointment to the Federal Trade Commission (FTC). Under their leadership, both the DOJ and FTC led an unprecedented effort to strengthen the merger guidelines — representing a significant shift in policy to foster completion. Members of our coalition have long supported updating the merger guidelines,¹ and once finalized the new guidelines take important steps toward establishing a new era in antitrust where mergers are not given a pass for their theoretical efficiencies, but rather scrutinized for the inherent threats to fairness, broad prosperity, and vibrant local economies.

Under AAG Kanter’s leadership, the DOJ’s commitment to curbing anticompetitive conduct in the United States should be commended by supporters of small business across the political spectrum. It is crucial that Congress empowers and resources the agency to continue its work to ensure our antitrust

¹ See Small Business Rising statement, July 19, 2023
<https://www.smallbusinessrising.net/updates/2023-merger-guidelines>.

laws are enforced. The DOJ's success in safeguarding competitive markets directly affects the livelihoods of countless small business owners and their employees.

Concentrated market power is the single biggest threat facing independent, small businesses. We respectfully request the Subcommittee on the Administrative State, Regulatory Reform, and Antitrust to continue prioritizing the DOJ's enforcement actions to rein in monopolies and protect small businesses and consumers. By doing so, we can ensure a level playing field, foster innovation, and create a vibrant and fair marketplace that benefits small businesses and consumers alike.

Signed by:

American Booksellers Association

American Independent Business Alliance

American Specialty Toy Retailing Association

Cambridge Local First

Independent Shopkeepers Association

Institute for Local Self-Reliance

Local First Arizona

Louisville Independent Business Alliance

Love Live Local Inc

Main Street Alliance

New Atlantic Independent Booksellers Association

North American Hardware and Paint Association

Provender Alliance

Running Industry Association

SMSBF

Workplace Solutions Association

About Small Business Rising

Small Business Rising, a coalition of more than 40 organizations representing more than 300,000 independent businesses, formed in 2021 to urge policymakers to rein in monopoly power and inject

fairness into a system that has long left small businesses at a competitive disadvantage. [The Hill](#) described the coalition as "playing a pivotal role in high-profile debates over antitrust," and helping "sway lawmakers to advance legislation to break up the largest tech companies through the House Judiciary Committee."

Together, members of the coalition and small business voices have calling for Congress to stop tech monopolies, like Amazon, from cornering the online market by breaking them up and regulating them, for states to pass robust antitrust laws, and for Federal regulators to use their enforcement authorities to block dominant corporations from engaging in abusive tactics. For media inquiries, please email [media\[at\]smallbusinessrising\[dot\]net](mailto:media@smallbusinessrising.net) | SmallBusinessRising.net.

cc

The President Joe Biden
The White House
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The Honorable Hakeem Jeffries
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The Honorable Jim Jordan
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